

Secretariat initiates dispute settlement case against Serbia for non-compliance with the State aid acquis

The Secretariat sent an Opening Letter to Serbia in Case ECS-11/14. In its Opening Letter, the Secretariat addresses four state guarantees by Serbia for loans from international financial institutions to Elektroprivreda Srbije for the Kolubara B power plant project and the transfer of property and land from Serbia to EPS for the same project.

These measures constitute State aid. The Commission for State Aid Control failed to assess whether four of the measures were compatible with the Energy Community internal market. The single compatibility assessment undertaken by the Commission for State Aid Control was not in line with the State aid acquis. Therefore, the Secretariat preliminarily concluded that Serbia did not fulfil its obligation to effectively enforce the Energy Community State aid acquis.

By sending an Opening Letter, the Secretariat initiates a preliminary procedure, the purpose of which is to give the Republic of Serbia the opportunity to react to the allegation of non-compliance with Energy Community law within three months and to enable the Secretariat to establish the full background of the case.

According to Articles 7 and 17 of the Rules of Procedure for Dispute Settlement, interested parties may be granted access to the case file and may submit written observations on the present case to the Secretariat during the preliminary procedure.

source: energy-community.com